

[THIS DOCUMENT WAS PREVIOUSLY FILED UNDER SEAL AS DOCKET ITEM 132-4]

NOM Deposition Exhibit 28:

“Marriage: \$20 Million Strategy for Victory”



NATIONAL ORGANIZATION FOR MARRIAGE

President Maggie Gallagher • Executive Director Brian S. Brown • Chairman Robert P. George

MARRIAGE: \$20 MILLION STRATEGY FOR VICTORY

Marriage will be won or lost in the United States in the next two to three years and victory or defeat in the United States will depend primarily on adequate resources. From a political angle, this strategy requires defeating the pro-gay Obama agenda: a pro-marriage President must be elected in 2012 (for more on Obama's intentions go to <http://www.americanprinciplesproject.org/blogs/tags/homosexual-lobby/>).

In less than two years since its creation, the National Organization for Marriage (NOM) has stopped New Jersey from enacting same-sex marriage (thus far), put Proposition 8 on the California ballot in 2008 and contributed to its passage, and invested substantial resources to stop gay marriage in New York. From January 1, 2009 to June 15, 2009, NOM has grown from a donor base of 8,000 to 30,000 and its active constituency has increased from 50,000 to 400,000 (The goal is 50,000 donors and 2,000,000 activists by the end of 2009.) During this time, NOM and APP have raised 4.0 million dollars.

In the United States we've demonstrated a key fact: with adequate resources, we can win the battle for hearts and minds on the marriage issue and then use what we've learned about winning this battle to launch a global movement to protect marriage.

To win marriage NOM/APP aim to raise an additional \$20 million from July 1, 2009 to the Fall Elections of 2010. Thus far, \$ 2 million have been raised.

I. THE STAKES

Marriage is a cornerstone of every known civilization. High rates of family fragmentation drive enormous public costs.^[1] An antifamily culture affects economic performance, expands the regulatory and taxing powers of government, and threatens the family businesses that generate economic growth and prosperity.

Gay marriage is the tip of the spear, the weapon that will be and is being used to marginalize and repress Christianity and the Church.^[2] What does the gay marriage idea mean once government adopts it? It means faith communities that promote traditional families should be treated in law and culture like racists. It means that the authority of parents to transmit moral values to children will be eroded.

II. CAN WE WIN?

The current state of despair over the future of marriage is manufactured, a weapon in our opponents' hand. Our U.S. experience is that victory is possible, even likely, provided we have the resources to fight this battle. (This is why gay marriage advocates have focused relentlessly

on harassing and intimidating local donors, to cut off the debate by limiting resources,^[a] which is why one key advantage we now have is the capacity to protect the identity of our donors.)

The National Organization for Marriage (NOM) and allies have won key victories both in courts of law and at the ballot box.^[a]

Gay marriage has lost 30 out of 30 times when put to voters—not only in culturally and politically conservative states like Louisiana (78 to 22 percent) and Alabama (81 to 19 percent) but also in progressive, liberal states like Wisconsin (59 to 41 percent) and Oregon (57 to 43 percent).

Just this past November in California, one of the most liberal states in the U.S., the majority again rejected gay marriage, as did voters in Florida (62 percent to 38 percent) and Arizona (56 to 44 percent).

The latest Gallup poll shows that more than six years after gay marriage first became a national issue most Americans continue to oppose gay marriage (57 percent to 40 percent). By a margin of four to one, more Americans believe gay marriage will hurt our society (48 percent) than make society better off (13 percent).^[a]

The latest CBS News/NYT poll shows a sharp drop in the proportion of Americans who support for gay marriage, from 42 percent in April to 33 percent today.^[a]

Despite several recent high-profile court victories, the majority of U.S. courts have rejected the idea that gay marriage is a constitutional right, including the high court of New York (2006), Washington State (2006), New Jersey (2006) and Maryland (2007). We contributed by organizing highly respected scholars to sign onto amicus briefs supporting marriage in each of these cases.^[a]

We have learned much about how to win the marriage battle. What we need now is to find the resources to prosecute and expand this strategy to win marriage in the U.S., and to expand it into a global movement.

III. MARRIAGE: A STRATEGY FOR VICTORY

Our goal is to use a victory in the U.S. to launch a global movement to reverse the tide on cultural and legal respect for core family values like marriage.

Our strategy for victory is four pronged:

A. Fall 2009 (November) Elections

Prevent gay marriage from being enacted in New Jersey and nullify the legislature-enacted gay marriage bill in Maine.

CONFIDENTIAL

1. New Jersey

Early polls for the November 2009 New Jersey gubernatorial race show the pro-marriage Republican candidate leading the pro-gay marriage Democratic incumbent by a wide margin (15% or more). It appears likely the incumbent will make marriage a top election issue, and a Republican victory is necessary but not sufficient for stopping gay marriage in New Jersey. Even if the Republican wins and more so, it is expected the democratic controlled Legislature will attempt to pass gay marriage during the lame duck session (after election and before the new governor takes office). Killing the bill in the Senate is our best hope for the defeat of SSM in New Jersey—and funding this fight immediately is urgent because a possible vote is only a few short months away. We will launch an integrated direct mail, automated calling, e-mail outreach and media effort focusing on ten key Senate districts. Schubert and Flint will manage the New Jersey effort and create at least one New Jersey specific television and radio commercial for this effort. Because of the high cost of media in New Jersey these ads will likely not run state-wide, but will focus on the targeted Senate districts.

Amount of this pledge to be devoted to New Jersey [(c)(4)]:	\$ 600,000
NOM Budget for New Jersey [(c)(4)]:	\$ 1,000,000
Amount Raised for New Jersey to date [(c)(4)]:	\$ 200,000

2. Maine

Maine is strategically important because it presents the only opportunity in 2009 to nullify a legislature-enacted same-sex marriage law passed in May 2009, by a ballot measure and thus demonstrate—contrary to what the national press would have us believe, that once again, when the people are allowed to decide, they support traditional marriage (April 2009 polls show 49.5 % of the people of Maine favor traditional marriage, and this is possible now higher since it is before the legislature passed the gay marriage law thus angering the people, and also, polls historically understate the traditional marriage position—some people just don't want to say they are for traditional marriage to a pollster). NOM has helped create and manage the StandforMarriageMaine.com referendum committee and is pleased to report that we are now close to having the signatures necessary to be on the ballot for the November, 2009 election. Schubert and Flint Public Affairs who managed the successful Proposition 8 campaign is managing the Maine campaign. We are working closely with the Catholic Church and Bishop Malone of Portland. NOM Executive Director Brian Brown serves on the Executive Committee of the Maine Campaign alongside Marc Muffy the Catholic Church's Director of Public Affairs. The seed money that NOM initially provided has encouraged Bishop Malone to lead the fundraising effort—to date he has raised \$150,000 and more than matched our initial funding.

A victory in 2009 in Maine is critical to stopping the momentum of the same-sex marriage movement in the Northeast. The total budget for Maine is \$3 million dollars. We cannot designate any money given to NOM to the Maine effort because of disclosure requirements. But we do plan on contributing at least \$200,000 (in addition to the money we have already either helped raise or given to the effort) over the next few months.

Amount of this pledge to be devoted to Maine [(c)(4)]:	\$ 200,000
--	------------

CONFIDENTIAL

NOM Budget for Maine [(c)(4)]:	\$ 1,000,000
Amount Raised for Maine to date [(c)(4)]:	\$ 500,000

3. *Beginning in 2009 and through 2012, roll back same-sex marriage where it has been imposed by courts or enacted by legislatures (Massachusetts, Connecticut, Vermont, New Hampshire, Maine and Iowa).*

Of these six states, New Hampshire and Iowa are the two states that have direct implications for the 2012 presidential elections and also they happen to be ones where it is possible to roll back. For these reasons, priority will be given to these; should opportunities develop in Connecticut, Vermont and Massachusetts if momentum builds in our favor, these will be explored; more on New Hampshire and Iowa below.

B. GO ON THE OFFENSE

Win victories by pushing for marriage amendments in conservative states, North Carolina, Pennsylvania and Indiana will be the top priorities.

A strategic priority is to aim for state marriage amendments in 2010 in politically significant, social conservative states including: Pennsylvania (51% oppose gay marriage in poll taken in 3/09), North Carolina (44.4% oppose gay marriage and civil unions in poll taken in 3/09), and Indiana (49% favored a marriage protection amendment in 2007).

Pro-marriage groups in states like Pennsylvania have relied on diffuse public opinion rather than sophisticated political organizing to push marriage amendments in these states. Gay marriage is not high on many voters' priority lists, even in liberal states.^[1] Gay marriage advocates are counting on voter apathy to permit them to play to their well-funded base and to please their donors and the media instead of voters.

To counteract these efforts, NOM is using sophisticated technology to reach out to voters, supplemented by persuasive radio, TV, and internet advertising to (a) identify the marriage voters for future electoral purposes, (b) generate phone calls to legislators from constituents, and (c) fundraise. The goal is to reach two million marriage activists and 50,000 small donors by the end of 2009. But this is not enough; gay marriage advocates have spent millions to knock off pro-family leaders in key state legislatures.^[2]

The goal of the Two Million for Marriage effort is to use the Obama administration's priority of the repeal of DOMA to rally a nationwide donor and activist base to create two million activists and 50,000 donors by the election of 2010. We have already launched a 2 Million dollar e-mail, direct mail, and automated call campaign and have gained nearly 400,000 supporters and roughly 15,000 new donors in our first few months of this effort. Senator Rick Santorum has served as the face of this effort through e-mail and direct mail. Senator Santorum has recently agreed to use his voice in a nationwide automated call effort to solicit activists and donations. This \$300,000 would allow us to call all of our most likely supporters nationally—nearly 2 million potential supporters. Given our prior efforts, we can expect roughly ten percent of these

CONFIDENTIAL

orientation with race. We need to make traditional sexual morality intellectually respectable again in elite culture. And we need to give people an alternative way of thinking about gay rights issues, one that does not lead to the misuse of the power of government to crush dissent in the name of fighting discrimination.

6. *Behind Enemy Lines, Document the Victims in Europe*

We have learned how to make the coercive pressures on religious people and institutions an issue in the United States. We will use this knowledge to raise the profile of government attacks on the liberties of religious people and institutions in Europe, both for internal domestic consumption in Europe and to halt the movement towards gay marriage worldwide.

7. *Behind Enemy Lines: Document the Victims—Keeping Gay Marriage controversial in Massachusetts, Vermont, and Connecticut*

Document the consequences of gay marriage and develop an effective culture of resistance. Polling data in Massachusetts indicate that six years after courts imposed gay marriage, public opposition to gay marriage is surprisingly strong. It is also, however, very quiet, in part because people fear retaliation and harassment if they speak up for traditional marriage ideas. (In a recent poll 36 percent of people who oppose gay marriage agreed that "if you speak out against gay marriage in Massachusetts you really have to watch your back because some people may try to hurt you."¹¹¹)

Fund a media campaign to support the idea that children need mothers and fathers and to highlight threats and promise support to any citizens attacked for their pro-marriage views; commission polling and other studies to document consequences of gay marriage; and gather a rapid-response team of videographers and reporters to collect and record stories of those who have been harassed, threatened or intimidated as a result of their support for traditional views on marriage and sexuality across the country and also in Europe and abroad.

IV. BUDGET & FUNDRAISING

	PLEDGED July 2009	PLEDGED End 2009	TO BE RAISED
NOM New Jersey c (4)	\$ 550,000		\$ 450,000
NOM Maine c (4)	\$ 100,000		\$ 900,000
NOM 2 MM for Marriage c (4)	\$ 100,000	\$ 100,000	\$ 1,800,000
NOM Iowa c (4)		\$ 100,000	\$ 900,000
NOM New Hampshire c (4)		\$ 300,000	\$ 1,700,000
NOM State Emerg Fund c(4)		\$ 250,000	\$ 4,750,000
NOM – Federal Pac			\$ 1,000,000
APP c (3) 125,000	\$ 125,000	\$ 750,000	
APP c (4)	\$ 125,000	\$ 125,000	\$ 750,000
Cultural Strategies			\$ 5,000,000
TOTAL	\$ 1,000,000	\$ 1,000,000	\$ 18,000,000
TOTAL CAMPAIGN			\$ 20,000,000

CONFIDENTIAL

calls to bear fruit in new activists and one percent to become donors. That's 200,000 new activists and 20,000 new donors.

Amount of this pledge to be devoted to Two Million for Marriage:	\$ 300,000
NOM Budget for Two Million for Marriage [(c)(4)]:	\$ 2,000,000
Amount Raised for Two Million for Marriage to date [(c)(4)]:	\$ 3,000,000

C. Nationalize the issue in the context of the next U.S. presidential election

Marriage needs to be a national (and ultimately international) effort, not just a local or regional issue. If marriage is going to be preserved as between a man and a woman in the United States two things must happen: the pro-gay agenda of President Obama must be defeated in 2012, and replaced by one that expressly articulates a pro-marriage culture. For this to happen, we count on three things:

1. Iowa, New Hampshire Project, and the State Emergency Reserve Fund

New Hampshire and Iowa are the two states that lead off the U.S. presidential primaries. Presidential elections are launched immediately after the mid-term (2010) elections. We expect the effort to take back these legislatures will take us beyond the 2010 election and into 2012. However, by making marriage an issue in the 2010 election in these states, we expect to force presidential contenders to have to deal with the issue, and since we know these are generally pro-marriage states, we anticipate pro-marriage candidates to do well and thus influence the U.S. presidential races in 2012.

a. Iowa

We are in the process of hiring one full-time political organizer to identify key races in Iowa, begin candidate recruitment, and to manage our overall efforts in Iowa. We know that there are key opportunities in Iowa, and have been working closely with Congressman Steven King to lay out a plan for Iowa to flip the legislature. This money will be used to both hire a full-time employee, set-up and administer an office, and to deal with the legal obligations in creating and administering a state political action committee.

Amount of this pledge to be devoted to Iowa [(c)(4)]:	\$ 100,000
NOM Budget for Iowa [(c)(4)]:	\$ 1,000,000
Amount Raised for Iowa to date [(c)(4)]:	\$ 100,000

b. New Hampshire

Passage of same-sex marriage in New Hampshire has brought Democratic Governor John Lynch's election numbers down to the lowest point in his entire term. We are working with Republican party chairman and past Governor John Sununu to implement a plan to both defeat

CONFIDENTIAL

Governor Lynch and flip both houses of the legislature. We have already helped defeat one pro-same sex marriage candidate in a special election. We are targeting 100 House districts and 10 Senate districts. The overall budget for our part of this effort is two-million dollars—1 million to defeat Lynch and 1 million to flip the legislature. Most of this money will be spent in 2010, but we have budgeted \$300,000 to continue our successful "Lynch Lied" radio and television campaign targeting Lynch and continuing with our successful automated call voter ID and donation program.

Amount of this pledge to be devoted to New Hampshire [(c)(4)]:	\$ 300,000
NOM Budget for New Hampshire [(c)(4)]:	\$ 2,000,000
Amount Raised for New Hampshire to date [(c)(4)]:	\$ 200,000

c. State Emergency Reserve Fund

We have to be ready for a decisive, rapid and effective response in whatever states gay marriage advocates decide to act to push gay marriage. Such a state emergency fund will also act as a discouragement to politicians tempted by their base to push this divisive issue on their constituents.

Given the threats of intimidation to donors who support marriage in California and nationwide we face a serious hurdle in getting state ballot initiatives and candidate campaigns funded because donors must be disclosed. However, if NOM makes a contribution from its own resources that are not specifically designated for one of these efforts donor identities are NOT disclosed. Given that a ballot initiative is likely to be on the ballot to overturn Proposition 8 in 2010, that Maine may require additional funding, that both Iowa and New Hampshire require disclosure of donors for political activity—it is critical that we have a reserve fund to give to these efforts to ensure victory and protect donor identity. Our goal is to raise 1 million for this reserve fund in 2009 and 1 million in 2010 before the 2010 elections. \$250,000 of your gift will serve as seed money to encourage other donors to give.

Amount of this pledge to be devoted to State Emergency Reserve:	\$ 250,000
NOM Budget for State Emergency Reserve Fund [(c)(4)]:	\$ 5,000,000
Amount Raised for State Emergency Reserve Fund [(c)(4)]:	\$ 100,000

2. Federal Marriage Political Action Committee – Budget Allowance 1 million

As we build assets in specific states (identifying marriage voters, activists and small donors) we want to direct these assets to electing pro-marriage legislators in Congress. A Federal Marriage Political Action Committee (PAC) will help us block the repeal of the Defense of Marriage Act, influence Supreme Court nominations, and promote a federal marriage amendment.

Building a network of regional political directors will help us identify and recruit candidates. Politically significant states (besides New Hampshire and Iowa) in Senate and

CONFIDENTIAL

presidential politics include: South Carolina, Florida, Ohio, Minnesota, Indiana, Pennsylvania, Nevada, Connecticut, New Mexico, Nevada, Colorado, Indiana, and Michigan.

3. Sideswiping Obama

Expose Obama as a social radical. Develop side issues to weaken pro-gay marriage political leaders and parties and develop an activist base of socially conservative voters. Raise such issues as pornography, protection of children, and the need to oppose all efforts to weaken religious liberty at the federal level. This is the mission of the American Principles Project (www.americanprinciplesproject.com).

The monthly operating budget for American Principles Project is approximately \$50,000. APP is currently developing a comprehensive blog to cover all issues that impinge on founding principles, is operating on Facebook and Twitter, and has several social networks for professors and students in the formative stages. In addition, APP has launched a project to contact Congress on keeping the Guantanamo prison open and in opposing the appointment of Kevin Jennings to the Safe Schools position at the Department of Education. We plan two comprehensive projects for the next six months that require separate funding.

The Preserve Innocence Project will monitor all administration initiatives from the White House, Department of Justice, Education Department, and the Health and Human Services Department that affect the welfare of children. We will put a special focus on exposing those administration programs that have the effect of sexualizing young children. We will provide a weekly update to Congress, to conservative leaders and to the national media on personnel or policy threats to childhood innocence. We will work with Congress to develop appropriate legislation to reverse current Department of Education policies that use the Safe Schools program to foist de facto sex education on children as young as kindergarten age. The cost for promoting this program is \$150,000.

There is an opportunity to develop a strong Hispanic voice for foundational American principles. Hispanics are socially conservative and economically entrepreneurial. The conservative movement has done little to forge close ties with a community that may soon become the single most pivotal voting bloc in national elections. The APP project will develop young Hispanic spokesmen for traditional values. We will establish an internet home for Hispanics who want to participate actively in developing arguments to their community on behalf of core principles. We anticipate this project to be self-funding from new financial sources within nine months of its inception. Personnel and start-up/operating costs will be \$150,000.

Amount of this pledge to be devoted to APP [(c)(4)]:	\$ 125,000
Amount of this pledge to be devoted to APP [(c)(3)]:	\$ 125,000
APP Budget [(c)(3) and (c)(4)]:	\$ 1,000,000
Amount Raised:	\$ 250,000

D. Cultural Strategies (Budget allowance – 5 million).

CONFIDENTIAL

We supplement this political strategy by a cultural one aimed at making support for marriage (and opposition to gay marriage) a marker of identity for Latinos (and African-Americans); developing a network of next generation leaders at elite college campuses, and developing a culture of resistance in the small number of states that have gay marriage.

1. Internationalizing the Marriage Issue: a Pan-American strategy,

The Latino vote in America is a key swing vote, and will be so even more so in the future because of demographic growth: Will the process of assimilation to the dominant Anglo culture lead Hispanics to abandon traditional family values? We can interrupt this process of assimilation by making support for marriage a key badge of Latino identity.

We aim to identify young Latino and Latina leaders, especially artists, actors, musicians, athletes, writers, and other celebrities willing to stand for marriage, regardless of national boundaries. We will develop Spanish language radio and TV ads, develop pamphlets, you tube videos, and church handouts.

2. The Next Generation Project

The Latino identity project will also help us in building a community that can reach out to the next generation of other Americans as well. By conducting student conferences, speakers and debates, we aim to find, train, and equip young leaders on the marriage issue at Ivy League and equivalent colleges. NOM has launched the Ruth Institute for this purpose and is working with the Love and Fidelity Network to replicate the success of the Anscombe Model on the Princeton Campus.¹¹⁰

3. Not a Civil Right Project

The strategic goal of this project is to drive a wedge between gays and blacks—two key Democratic constituencies. We aim to find, equip, energize and connect African-American spokespeople for marriage; to develop a media campaign around their objections to gay marriage as a civil right; and to provoke the gay marriage base into responding by denouncing these spokesmen and women as bigots. No politician wants to take up and push an issue that splits the base of the party.

4. International Scholars Project

Identify and nurture a worldwide community of highly credentialed intellectuals and professional scholars, physicians, psychiatrists, social workers, and writers to credential our concerns and to interrupt the silencing that takes place in the academy around gay marriage and related family issues. Marriage as the union of husband and wife has deep grounding in human nature, and is supported by serious social science.

5. Raising the Negatives on Homosexuality/Interrupting the Race Analogy

Ultimately we aim to raise the costs of identifying with gay marriage, and also raise the attractiveness of identifying with traditional marriage. But we also need to accomplish a sophisticated cultural objective: interrupt the attempt to equate gay with black, and sexual

CONFIDENTIAL

(c)(4) National Organization for Marriage

(c)(3) American Principles Project

(c)(4) American Principles in Action

^[11] See Benjamin Scafidi, *The Taxpayer Costs of Divorce and Unwed Childbearing* (New York: Institute for American Values, 2008).

^[12] See, e.g., Letter dated April 20, 2009 from Professor Thomas Berg (Univ. of St. Thomas Law), Professor Carl Esbeck (Univ. of Missouri Law), Professor Robin Fretwell Wilson (Washington & Lee Univ. School of Law), and Professor Richard W. Garnett (Notre Dame Law) to Speaker Christopher Donovan, Connecticut House of Representatives (available at <http://mirrorofjustice.blogspot.com/files/letter-to-rep.-donovan-re-bill-899-04-20-09.pdf>); Douglas Laycock, et al., eds., *Same-Sex Marriage and Religious Liberty: Emerging Conflicts* (New York: Rowman & Littlefield, 2008); Maggie Gallagher, Banned in Boston: The Coming Conflict Between Same-Sex Marriage and Religious Liberty, *The Weekly Standard*, May 16, 2006.

^[13] See, e.g., Rebecca Cathcart, Donation to Same-Sex Marriage Foes Brings Boycott Calls, *The New York Times*, July 17, 2008, at A15; Tami Abdollah & Cara Mia DiMassa, Prop 8 Foes Shift Attention; The Initiatives Backers Strongly Object to the New Focus on Boycotts, *Los Angeles Times*, November 14, 2008, at A1; Jesse McKinley, Theater Director Resigns Amid Gay-Rights Ire, *The New York Times*, November 13, 2008, at C1; Jennifer Garza, Prop 8 Opponents Target Supporters, *The Oregonian*, November 13, 2008; Valerie Richardson, California Prop 8 Donors Sue for Privacy; Harassment Cited in Case on Campaign Rules, *Washington Times*, March 23, 2009, at A1.

^[14] NOM's initial entry into state-level marriage debate was in the 2007 New Jersey state races, where NOM helped to elect two pro-marriage state legislators, and was credited with helping to make same-sex marriage too controversial to be taken up by the lame duck legislature. See NJ Lawmakers Urged to Move on Gay Marriage Bill, 365Gay.com, January 10, 2008; Geoff Mulvihill, Gay Marriage Debate Intensifies as Conservatives Get Organized, Associated Press, Dec. 15, 2008.

NOM also played a key role in California's Prop. 8 campaign, initially helping to get the measure on the ballot and eventually becoming the largest single donor to the Prop 8 campaign. Geoff Mulvihill, NJ Group Makes Waves in Calif. Gay Marriage Debate, *Newsday*, July 27, 2008; Tasmin Shamma, Princeton-Based Nonprofit was the Top Donor to Fight Prop 8, *Daily Princetonian*, November 19, 2008.

This spring, NOM launched its 2009 Northeast Action Plan, aimed at organizing opposition to same-sex marriage throughout the Northeast U.S. Despite the recent entry onto the state political scene in these states, NOM has worked closely with state groups to fund robocalls, polling, and grassroots organizing activities. See, e.g., Jeremy W. Peters, Group Begins Ad Blitz Against Same-Sex Marriage, *The New York Times*, May 28, 2009, at A22.

Dovetailing with the state efforts is a \$1.5 million national media campaign aimed at drawing attention to the consequences of same-sex marriage, as people of faith are increasingly denounced as bigots simply because they stand up for marriage. Already, hundreds of thousands of people have seen our ads on YouTube, with millions more watching the national TV coverage generated by our ad campaign. See, e.g.,

CONFIDENTIAL

NBC Today Show, Carrie Prejean Speaks About Same-Sex Marriage, April 30, 2009; CNN.com, Miss California USA to Appear in Conservative TV Ad, April 30, 2009; Valerie Richardson, Finding Her New Cause, Prejean Promotes Marriage, Washington Times, April 29, 2009, at A18.

^[1] See Jeffrey M. Jones, Majority of Americans Continue to Oppose Gay Marriage, Gallup Poll, May 27, 2009, available at <http://www.gallup.com/poll/118378/Majority-Americans-Continue-Oppose-Gay-Marriage.aspx>.

^[2] Poll: Support for Gay Marriage Dips, CBSNews.com Political Hotsheet, June 17, 2009, available at <http://www.cbsnews.com/blogs/2009/06/17/politics/politicalhotsheet/entry5094597.shtml>.

^[3] See Anemona Hartocollis, New York's Highest Court to Rule on Gay Marriages, *The New York Times*, July 4, 2006 (discussing the friend of the court brief that we filed in New York on behalf of James Q. Wilson and thirteen other prominent scholars). Several of the briefs that we prepared and filed are available at www.domawatch.org. See also, *Marriage and the Public Good: Ten Principles* (Princeton, NJ: The Witherspoon Institute, 2006), available at www.princetonprinciples.com.

^[4] Nationally, just 2 percent of Americans tell pollsters that addressing same-sex marriage is their top legislative priority for the federal government. (NBC/Wall Street Journal Poll, June 12-15, 2009, available at http://msnbcmedia.msn.com/i/msnbc/sections/news/090617_NBC-WSJ_poll_Full.pdf (percent listing social issues such as abortion and same-sex marriage as the top priority for the federal government)). Even among those who do feel strongly about the issue, Gallup found the strongest feelings to be held by same-sex marriage opponents. Just 2 percent of gay marriage supporters told Gallup pollsters that they would vote only for a legislator who shares their views on same-sex marriage, compared to 26% of same-sex marriage opponents. Lydia Saad, CA Ruling on Same-Sex Marriage Bucks Majority View, Gallup.com, May 15, 2008, available at <http://www.gallup.com/poll/107305/Ruling-SameSex-Marriage-Bucks-Majority-View.aspx>. Similar patterns hold true in New England states where the polling data is available. Recent polling that NOM helped sponsor in Rhode Island found just 7 percent of Rhode Islanders see the legalization of same-sex marriage as a top issue for governmental action. See Victor Profughi, Quest Research June Rhode Island Issues Survey, Quest Research, June 15, 2009, available at www.nomrhodeisland.org.

^[5] Joshua Green, They Wont Know What Hit Them, *Atlantic Monthly*, March 2007, available at <http://www.theatlantic.com/doc/200703/tim-gill>.

^[6] See Rachel Aviv, On a Date With . . . The Founders of True Love Revolution, Harvards Abstinence Society, *The New York Times*, July 29, 2007.

^[7] 2009 NOM Massachusetts Marriage Survey, Five Years After Goodridge: Gay Marriage Divides Massachusetts Voters, May 17, 2009, available at www.nationformarriage.org.

CONFIDENTIAL